



UNITED STATES DEPARTMENT OF COMMERCE
National Oceanic and Atmospheric Administration
NATIONAL MARINE FISHERIES SERVICE
Northwest Region
7600 Sand Point Way N.E., Bldg. 1
Seattle, WA 98115

February 12, 2003

Mr. Fritz Rennebaum
Bureau of Land Management
Upper Columbia-Salmon/Clearwater District
1808 North Third Street
Coeur D'Alene, Idaho 83814-3407

RE: Endangered Species Act and Essential Fish Habitat Consultations: Request to Extend Programmatic Biological Assessment for the Bureau of Land Management Salmon and Challis Field Office's 2002 Noxious Weed Control Program for the 2003 Spray Season (One project) (BLM File Code 6840 [080])

Dear Mr. Rennebaum:

This responds to the Bureau of Land Management (BLM) Salmon and Challis Field Office's January 27, 2003, letter requesting extension of Endangered Species Act (ESA) consultation and Magnuson-Stevens Fishery Conservation and Management Act (MSA) consultation on 2002 herbicide treatment of noxious weeds on lands administered by the BLM. The contents of the 2002 Biological Assessment (BA) accompanying the original consultation fully explained the potential impacts on Snake River sockeye salmon, spring/summer chinook salmon and steelhead, designated critical habitat, and Essential Fish Habitat (EFH) under National Marine Fisheries Service's (NOAA Fisheries) review. The project has been reviewed by NOAA Fisheries, as provided under section 7(a)(2) of the ESA and its implementing regulations, 50 CFR Part 402, and section 305(b)(2) of the MSA and its implementing regulations, 50 CFR Part 600. NOAA Fisheries issued a Biological Opinion (Opinion) for the 2002 proposed action on October 18, 2002.

Snake River sockeye salmon, spring/summer chinook salmon, and steelhead are likely to occur in or downstream of the action area. The action is within designated critical habitat for ESA listed chinook salmon (December 28, 1993, 58 FR 68543) and within designated EFH for chinook salmon. Pursuant to NOAA Fisheries ESA and MSA responsibilities and authorities, NOAA Fisheries evaluated the effect of the project on ESA listed species, designated critical habitat, and EFH.

The BLM stated that all noxious weed control measures will be conducted in accord with identified standards and project specific requirements proposed in the 2002 BA. Additionally,



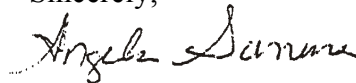
prior to the 2003 spray season, the BLM will provide NOAA Fisheries with a table identifying project areas, acres treated, application method and rate, product name, and estimated timing of spraying. The BLM will also provide NOAA Fisheries documentation showing what areas were actually treated in 2003 prior to the consultation on the 2004 spray season. The report will document treatments that took place, methods used, location, map, acreage, evaluation of achievement of objectives, brief summary of environmental effects, and evaluation of compliance with this BA and appropriate standards and project criteria.

Based on the best available information, successful implementation of conservation measures described in the BA, and implementation of all reasonable and prudent measures and terms and conditions described in the Opinion, NOAA Fisheries has determined the subject action is not likely to jeopardize the continued existence of Snake River spring/summer chinook salmon, Snake River steelhead, or Snake River sockeye salmon. Further, NOAA Fisheries concludes the subject action would not cause adverse modification or destruction of designated critical habitat for listed Evolutionarily Significant Units of spring/summer chinook salmon and sockeye salmon. NOAA Fisheries also concludes; however, that EFH conservation recommendations pursuant to MSA are necessary because the proposed action may affect EFH for Snake River chinook salmon.

NOAA Fisheries concurs with the BLM's request to extend the 2002 Opinion through the 2003 spray season provided that all terms and conditions, reasonable and prudent measures, conservation measures and recommendations, and monitoring and reporting requirements of the 2002 Opinion remain in effect. The BLM must reinitiate consultation on this action if new information becomes available, or if circumstances occur that may affect listed species, designated critical habitat, or may adversely affect EFH in a manner, or to an extent not previously considered.

Ms. Laura Hanlon (208) 756-6479, and Ms. Jan Pisano (208) 756-6478 are the NOAA Fisheries contacts for this consultation.

Sincerely,



D. Robert Lohn
Regional Administrator

cc: D. Mignogno - FWS
T. Curet - IDFG
C. Colter - SBT
G. Matejko - SCNF